

REMARKS

Upon entry of this amendment, claims 1-6 are pending in the application. By this paper, claims 7-13 have been cancelled. Entry of this amendment in order to place the application in condition for allowance or to narrow the issues for appeal is respectfully requested.

Status of the claims

The examiner has indicated that claims 1-6 are allowable. Claims 7-13 stand finally rejected. By this paper, claims 7-13 have been cancelled to place the application in condition for allowance. Advancement of the application to issuance is respectfully requested.

While claims 7-13 have been cancelled to advance the present application to issuance, applicant reserves the right to file one or more continuing applications directed to cancelled claims 7-13 or other disclosed but unclaimed subject matter.

Information Disclosure Statements

The office action asserts that the Information Disclosure Statements filed January 25, 2002 and July 14, 2003 fail to comply with 37 CFR §§ 1.97, 1.98 and MPEP § 609, because they did not include copies of the references.

Included herewith is Applicant's Fourth Supplemental Information Disclosure Statement. This submission repeats the citation of the references cited in the Information Disclosure Statement filed January 7, 2002. Copies of each of references A1-A127 are enclosed. Provision for payment of the fee as set forth in 37 C.F.R. § 1.17(p) in the amount of \$180.00 is provided in the Information Disclosure Statement. Consideration of these references and return of an initialed copy of the Form PTO 1449 are respectfully requested.

A photocopy of the return receipt postcard filed with the Information Disclosure Statement dated July 10, 2003 is attached hereto. The return receipt postcard indicates

that on July 10, 2003, an Amendment, three replacement drawing sheets, a copy of a Petition for Correction of Inventorship, a Third Supplemental Information Disclosure Statement, PTO Form 1449 and a copy of the references cited were submitted. The return-receipt postcard is date-stamped July 14, 2003 but is not marked to show that any listed item was missing from the submission. Accordingly, it is respectfully submitted that copies of the cited references have been timely submitted. Because the examiner indicates in the office action that no copies of the cited references were received, and in order that the previously-submitted references will be considered, replacement copies of the cited references are included herewith. Applicant respectfully requests that references cited on the Information Disclosure Statement be considered and that the previously submitted form PTO-1449 be initialed by the examiner and returned to the Applicant.

Comment on Statement of Reasons for Allowance

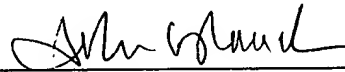
The office action states that allowable subject matter has been indicated because "the prior art of record does not disclose or make obvious selecting search listings, each listing associated with an advertiser and a bid amount, for displaying to a searcher in a random order, including all the limitations of claim 1."

Applicant has interpreted the Examiner's Statement of Reasons for Allowance as a list of specific limitations of independent claim 1 that distinguish this claim from the applied references. Applicant submits that this list represents a partial paraphrase of claim 1 and that claim 1 and claims 2-6 which are dependent therefrom themselves define the scope of the invention. Additionally, other reasons for allowance not specifically stated in the office action may apply. Accordingly, Applicant does not acquiesce to the reasons for allowance stated by the Examiner.

Application no. 09/872,730
Amendment dated: February 4, 2004
Reply to office action dated: November 4, 2003

With this response, the application is believed to be in condition for allowance. Should the examiner deem a telephone conference to be of assistance in advancing the application to allowance, the examiner is invited to call the undersigned attorney at the telephone number below.

Respectfully submitted,



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